

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 13173-00007-US 10/524972 <small>U.S. APPLICATION NO. 10/524972 (see 37 CFR 1.5)</small>
INTERNATIONAL APPLICATION NO. PCT/EP2003/009102	INTERNATIONAL FILING DATE 18 August 2003	PRIORITY DATE CLAIMED 20 August 2002
TITLE OF INVENTION METHOD FOR THE PRODUCTION OF KETOCAROTENOIDS IN PETALS OF PLANTS		
APPLICANT(S) FOR DO/EO/US Christel R. Schopfer et al.		


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. 10/524972		INTERNATIONAL APPLICATION NO. PCT/EP2003/009102		ATTORNEY'S DOCKET NUMBER 13173-00007-US	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee			\$ 300.00	
22.	<input checked="" type="checkbox"/> Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$ 200.00	
All other situations					
23.	<input checked="" type="checkbox"/> Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$ 500.00	
International Search Report prepared and provided to the Office					
All other situations					
TOTAL OF 21, 22 and 23 =				\$ 1,000.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
248 - 100 =	148 / 50 =	3	x \$250.00	750.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	100 - 20 =	80	x 50.00	\$ 4,000.00	
Independent claims	10 - 3 =	7	x 200.00	\$ 1,400.00	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)					
TOTAL OF ABOVE CALCULATIONS =				\$ 7,150.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 7,150.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	
TOTAL NATIONAL FEE =				\$ 7,150.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$ 7,150.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-2775</u> in the amount of \$ <u>7,150.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-2775</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: right;">  SIGNATURE: Robert M. D. Makowski NAME </p> <p>CUSTOMER NUMBER: 23416</p> <p style="text-align: right;">55,421 REGISTRATION NUMBER</p>					

Docket No.: 13173*00007
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christel Renate Schopfer et al.

Conf. No.: Not yet assigned

Application No.: Not yet assigned

Group Art Unit: Not yet assigned

Filed: Concurrently herewith

Examiner: Not Yet Assigned

For: METHOD FOR THE PRODUCTION OF
KETOCAROTENOIDS IN PETALS OF
PLANTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§1.821 THROUGH 1.825**

- ☒ I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the information recorded in computer readable form is identical to the written Sequence Listing submitted herewith.
- ☐ I hereby state that the submission filed in accordance with 37 C.F.R. 1.821(g) does not include new matter.
- ☐ I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- ☐ I hereby state that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, in pages 1-25 of the Sequence Listing. I hereby state that the substitute sheets of the Sequence Listing do not include new matter.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended Sequence Listing.

☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed on February 27, 2003.

Dated: 2/17/05

Respectfully submitted,

By Roberte M. D. Makowski
Roberte M. D. Makowski
Registration No.: 55,421
CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, Delaware 19899
(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicant

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 13173-00007-US

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV473530977US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on February 18, 2005
Date



Signature

Jean Marshall

Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office
Fee Transmittal for FY 2005
Application Data Sheet
Copy of the International application
English language translation of the International application with sequence list attached
47 sheets of drawings
Form PCT/ISA/210, Form PCT/IPEA/409
Oath or declaration of the inventor(s)
Information Disclosure Statement, SB/08, with references
Preliminary Amendment
Computer readable Sequence Listing
Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825
Postcard
Charge \$7,150.00 to deposit account 03-2775